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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

BARRY, CHESTER T

ART UNIT

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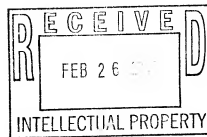
DELIVERY MODE

02/23/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

Date Rec'd: 2/24/07
Re: Response to Non-Compliance
3/18/07 (w/et)
Case No: 04956





**Failure to Acceptably Respond to
Notice of Non-Compliant Amendment (37 CFR 1.121)
No New Time Period for Reply is Provided**

The amendment document filed on **February 15, 2007** fails to provide the corrective action required by the prior Notice of Non-Compliant Amendment (37 CFR 1.121) mailed on **January 18, 2007**. The amendment, including both the originally filed amendment and the amendment filed in response to the prior notice, is still considered to be non-compliant under 37 CFR 1.121. In order for the amendment document to be compliant, correction of the item(s) listed below is required. **Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.** 37 CFR 1.121(h).

The period for reply continues to run from the mailing date of the prior Notice of Non-Compliant Amendment. The corrections listed below must be timely filed to avoid abandonment of the application. No new time period for reply is provided in this communication. See the Manual of Patent Examining Procedure (MPEP) § 714.03.

If the period for reply set forth in the prior Notice of Non-Compliant Amendment has expired, this application will become abandoned unless applicant: (1) corrects the deficiency, and (2) obtains an extension of time under 37 CFR 1.136(a). In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in the prior Notice of Non-Compliant Amendment (37 CFR 1.121).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other:
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other:
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other:
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other:

W. J. Smith
Supervisory Legal Instruments Examiner (SLIE)

571
272-1626
Telephone No.

Listing of Claims

1. – 7. (Canceled)
8. A method for treating water, sediment, or soil containing pollutants by the step of contacting the pollutant containing water, sediment, fractured rock, or soil with a multi-functional sequestration agent comprising bauxite in its relatively natural form.
9. The method according to claim 8, wherein said multi-functional sequestration agent is formed into a permeable vertical barrier.
10. The method according to claim 8, wherein said multi-functional sequestration agent is formed into a permeable horizontal barrier or cap.
11. The method according to claim 8, wherein said multi-functional sequestration agent is mixed with the environmental media to be cleaned.
12. A method for removing or inactivating microorganisms in an emission or in the environment comprising contacting the microorganism with a mineral selected from bauxite, copper ores, and mixtures thereof.
13. The method according to claims 8 or 12 wherein said bauxite is crushed.
14. The method according to claims 8 or 12 wherein said bauxite is granular.
15. The method according to claims 8 or 12 wherein said bauxite is a powder.
16. The method according to claims 8 or 12 wherein said bauxite is installed as a subsurface mineral ore barrier.

17. The method according to claims 8 or 12 wherein said bauxite is in a permeable barrier.
18. The method according to claim 17, wherein said permeable barrier is installed in the path of groundwater flow.
19. The method according to claims 8 or 12 wherein said water is groundwater.
20. The method according to claims 8 or 12 wherein said water is surface water.
21. The method according to claims 8 or 12 wherein said contacting is by mixing said bauxite with said water, sediment, fractured rock, or soil.
22. The method according to claim 8, wherein the pollutant is a heavy metal.
23. A sequester for treating water, sediment, fractured rock, or soil containing heavy metals comprising: bauxite in its relatively natural form mixed with said water, sediment, or soil.
24. The sequester according to claim 23, wherein said bauxite comprises granulated or powdered bauxite.
25. A permeable barrier for preventing migration of pollutants comprising:
a multi-functional sequestration agent comprising bauxite in its relatively natural form.
26. The permeable barrier according to claim 25, wherein said bauxite comprises granulated or powdered bauxite.